

## Message Text

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ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 NSCE-00 /026 W

----- 013456

O 291540Z AUG 75

FM AMEMBASSY MADRID

TO SECSTATE WASHDC NIACT IMMEDIATE 2863

C O N F I D E N T I A L SECTION 1 OF 2 MADRID 6051

EXDIS

DEPARTMENT PASS SECRETARY

E.O. 11652: GDS

TAGS: PFOR, BASES, SP, US

SUBJ: CONVERSATION WITH FOREIGN MINISTER CORTINA: US-SPANISH  
NEGOTIATIONS

1. I CALLED ON FOREIGN MINISTER CORTINA IN SAN SEBASTIAN ON  
AUGUST 28 AND HAD A LONG DISCUSSION WITH HIM ON THE US-SPANISH  
NEGOTIATIONS.

2. CORTINA WANTS VERY MUCH TO HAVE A MEETING WITH THE SECRE-  
TARY BECAUSE HE BELIEVES THAT UNTIL HE AND THE SECRETARY HAVE  
REACHED AGREEMENT ON THE BASIC NATURE OF THE "DEFENSE RELA-  
TIONSHIP" BETWEEN SPAIN AND THE UNITED STATES, THE NEGOTIATORS  
WILL NOT BE ABLE TO COMPLETE THEIR WORK ON THE PRACTICAL DE-  
TAILS. CORTINA IS QUITE WILLING TO HAVE ANOTHER ROUND OF  
NEGOTIATIONS HELD BEFORE HE SEES THE SECRETARY, PROVIDED THAT  
THE NEXT ROUND TAKES PLACE ABOUT SEPTEMBER 10 TO THE  
END OF THAT WEEK, TO BE FOLLOWED BY A MEETING BETWEEN HIM AND THE  
SECRETARY ON OR ABOUT SEPTEMBER 15. CORTINA EMPHASIZED THAT  
IT WAS IMPORTANT FROM THE SPANISH POINT OF VIEW TO HAVE THE  
MEETING WITH THE SECRETARY AT LEAST 10 DAYS OR TWO WEEKS  
PRIOR TO THE EXPIRY OF THE PRESENT AGREEMENT ON SEPTEMBER 25.

3. I RAISED WITH CORTINA THE QUESTION OF WHAT HAPPENS  
IF WE HAVE NOT REACHED A NEW AGREEMENT BY SEPTEMBER 25.

HE DID NOT APPEAR TO BE FAMILIAR WITH THE PAPER WHICH  
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MCCLOSKEY LEFT WITH ROVIRA ON THIS POINT. CORTINA SAID

THAT IF SEPTEMBER 25 WENT BY WITHOUT AN AGREEMENT, THEN ARTICLE 39 WOULD COME INTO PLAY. I POINTED OUT TO HIM THAT THAT ARTICLE CALLED FOR THE IMMEDIATE COMMENCEMENT OF WITHDRAWAL OF US FORCES AND THAT IF THERE WAS NO AGREED POSITION BETWEEN THE US AND SPANISH GOVERNMENTS ON THE SUSPENSION OF ARTICLE 39, WE SHOULD HAVE SERIOUS PROBLEMS BOTH HERE AND IN THE US IN ANSWERING QUESTIONS REGARDING THE FACT AND RATE OF WITHDRAWAL OF US FORCES. AT FIRST, CORTINA WAS ADAMANT THAT NO AGREED PUBLIC POSITION WAS NECESSARY. THE VOLITION OF THE TWO PARTIES WOULD BE CONTROLLING AND, THUS, IF SERIOUS NEGOTIATIONS FOR THE DEFINITION OF A NEW DEFENSE RELATIONSHIP WERE STILL GOING FORWARD, THIS BY ITSELF WOULD HAVE GREATER IMPORTANCE THAN THE LANGUAGE OF ARTICLE 39. I TOLD CORTINA THAT FROM A JURIDICAL POINT OF VIEW, THIS MIGHT BE TRUE, BUT IT DID NOT ANSWER THE PROBLEM OF HOW WE WOULD HANDLE INQUIRIES FOLLOWING THE EXPIRATION OF THE PRESENT AGREEMENT. WHILE THE SPANISH GOVERNMENT MIGHT BE ABLE TO DECLINE TO ANSWER THE PRESS, WE COULD NOT. THEREFORE IT WAS ESSENTIAL THAT WE HAVE SOME AGREED POSITION WHICH WE COULD USE PUBLICLY. CORTINA SEEMED TO GRASP THE POINT BETTER AND, THINKING OUT LOUD, HE SUGGESTED A FORMULA WHICH WOULD SAY SOMETHING TO THE EFFECT THAT WITH THE OLD AGREEMENT NO LONGER BEING IN EFFECT AND WITHIN THE FRAMEWORK OF CONTINUING NEGOTIATIONS FOR A NEW AGREEMENT, THE APPLICATION OF ARTICLE 39 WOULD BE LINKED TO THE PROGRESS OF THOSE NEGOTIATIONS. THUS, WHILE NEGOTIATIONS CONTINUED, THE PROCESS OF WITHDRAWAL WOULD NOT BEGIN "IMMEDIATELY". CORTINA EMPHASIZED THAT THIS WAS A PERSONAL IDEA AND REFERENDUM TO THE SPANISH GOVERNMENT. WHEN I INQUIRED WHETHER THE ONE-YEAR WITHDRAWAL PERIOD WOULD REMAIN INTACT EVEN IF AT THE END OF, FOR EXAMPLE, TWO MONTHS IT WAS DECIDED NO NEW AGREEMENT WAS POSSIBLE, HE REPLIED IN THE NEGATIVE, INDICATING THAT IN THAT CASE THERE WOULD THEN ONLY BE A 10-MONTH PERIOD FOR WITHDRAWAL. I TOLD HIM THAT I BELIEVED THIS TO BE UNSATISFACTORY, BUT THAT I WOULD, NEVERTHELESS, PUT THE GENERAL IDEA TO WASHINGTON FOR ITS CONSIDERATION. (COMMENT: WHILE THE ABOVE MAY NOT BE FULLY SATISFACTORY, AT LEAST CORTINA SEEMS TO UNDERSTAND THE PROBLEM BETTER

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AND I THINK SOME FORMULATION CAN BE WORKED OUT BETWEEN US. IN THE FINAL ANALYSIS, I DOUBT, IF WE GET TO THAT POINT, THE SPANISH WILL BE TOO STICKY ABOUT THE TIME PERIOD FOR WITHDRAWAL, PROVIDED THAT IT IS CLOSE TO ONE YEAR. MY OWN VIEW IS THAT WE SHOULD NOT BE OVERLY LEGALISTIC ABOUT THIS POINT AND THAT WE WOULD DO WELL TO TRY TO ACCEPT SOMETHING CLOSE TO CORTINA'S PROPOSAL. IT WOULD BE USEFUL TO HAVE INSTRUCTIONS ON THIS POINT TO

RELAY TO CORTINA BEFORE I RETURN TO WASHINGTON LATE NEXT WEEK.)

4. I INQUIRED OF CORTINA WHETHER THE THREE OPTIONS ON FACILITIES WHICH HAD BEEN PRESENTED BY ROVIRA TO MCCLOSKEY ON AUGUST 21 HAD BEEN APPROVED BY THE GOVERNMENT AT THE COUNCIL OF MINISTERS MEETING LAST WEEK, OR WHETHER THEY WERE STILL AD REFERENDUM. CORTINA REPLIED EMPHATICALLY THAT THEY WERE STILL AD REFERENDUM AND WOULD REMAIN SO UNTIL THE BASIC QUESTION OF POLICY CONCERNING THE DEFINITION OF A "NEW DEFENSE RELATIONSHIP" BETWEEN SPAIN AND THE US HAD BEEN RESOLVED BY HIM AND THE SECRETARY. HE POINTED OUT THAT A SATISFACTORY DEFINITION OF THIS DEFENSE RELATIONSHIP COULD WELL ALTER THE PROPOSALS WHICH THE SPANISH WERE MAKING. HE REMARKED THAT A DISCUSSION OF THESE OPTIONS APPEARED TO BE COUNTER TO THE POSITION THE US HAS TAKEN THAT IT WOULD LIKE TO RETAIN ALL ITS PRESENT FACILITIES IN SPAIN. ON THE OTHER HAND, HE IMPLIED THAT THE NEXT ROUND WOULD HAVE TO ADDRESS THE OVERALL PROPOSALS PUT FORWARD BY THE SPANISH DELEGATION ON AUGUST 21, SINCE THEY WERE WITHIN THE NEGOTIATING FLEXIBILITY AVAILABLE TO THIS DELEGATION.

5. CORTINA THEN LAUNCHED INTO A LONG DISCOURSE ON THE QUESTION OF THE "NEW DEFENSE RELATIONSHIP" ALONG THE LINES THAT HE HAS CONSISTENTLY EMPLOYED IN THE PAST. THE BASIC THRUST OF HIS MESSAGE WAS THAT THERE COULD BE NO QUESTION OF ANOTHER AGREEMENT WITH THE US COVERING "BASES" ONLY. SPAIN WOULD NO LONGER PROVIDE ITS DEFENSE FACILITIES FOR WESTERN DEFENSE WITHOUT RECOGNITION IN A CONCRETE FASHION OF ITS CONTRIBUTIONS AND ITS ACCEPTANCE WITHIN THE WESTERN COMMUNITY, EITHER MULTILATERALLY OR BILATERALLY, AS AN EQUAL. FROM THE VERY BEGINNING, HE HAD TOLD THE CONFIDENTIAL

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SECRETARY THAT SPAIN MUST RECEIVE EQUALITY OF TREATMENT. THE DECLARATION OF PRINCIPLES, WHICH HAD NOT BEEN DRAFTED LIGHTLY, HAD RECOGNIZED THIS POINT. IF THE NEW AGREEMENT WITH THE US DID NOT, IN ITSELF, ESTABLISH A NEW DEFENSE RELATIONSHIP BASED ON THIS NOTION OF EQUALITY OF TREATMENT, THEN THERE WOULD BE NO AGREEMENT AND SPAIN WAS PREPARED TO ACCEPT THIS OUTCOME. CORTINA EMPHASIZED THAT SPAIN IS A PART OF THE WEST, IS A FRIEND OF THE US AND WISHES A DEFENSE RELATIONSHIP WITH THE US. THERE IS NO QUESTION OF SPAIN BEING NONALIGNED OR NEUTRAL. HOWEVER, IF THE US CONGRESS, AND THE SENATE IN PARTICULAR, CANNOT BE BROUGHT TO UNDERSTAND THAT SPAIN WILL NO LONGER TOLERATE A CONTINUING STATE OF INEQUALITY WITHIN THE WESTERN WORLD, TO WHICH THE US CONTRIBUTES IN PART THROUGH ITS PRESENT AGREEMENT WITH SPAIN, THEN

THERE IS LITTLE HOPE FOR A NEW AGREEMENT. CORTINA

NOTE BY OC/T: NOT PASSED SECRETARY.

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INFO OCT-01 ISO-00 SSO-00 NSCE-00 /026 W

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O 291540Z AUG 75

FM AMEMBASSY MADRID

TO SECSTATE WASHDC NIACT IMMEDIATE 2864

C O N F I D E N T I A L SECTION 2 OF 2 MADRID 6051

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STRESSED THAT SPAIN IS NEGOTIATING WITH THE US GOVERNMENT AND THAT WHATEVER PROBLEMS THE EXECUTIVE MAY HAVE WITH CONGRESS THESE WERE NOT PROPER CONCERNS OF THE SPANISH GOVERNMENT. HE PERSONALLY BELIEVED THAT IF THE EXECUTIVE COULD BRING THE SENATE TO UNDERSTAND THE STRENGTH OF SPANISH FEELING, THE SENATE WOULD BE WILLING TO ACCEPT AN AGREEMENT WHICH IN ITS SUBSTANCE WOULD GIVE SPAIN EQUALITY WITH THE REST OF THE WEST. HE MADE CLEAR THAT HIS USE OF THE TERM "DEFENSE RELATIONSHIP" WAS DESIGNED TO INDICATE THAT SPAIN DID NOT INSIST ON A TREATY OF MUTUAL DEFENSE, BUT RATHER A STATEMENT OF PRINCIPLE THAT SPAIN WAS NOW EQUAL WITH OTHER WESTERN COUNTRIES IN THE OVERALL TASK OF WESTERN DEFENSE. CORTINA WENT OVER AGAIN HIS VIEWS ON HOW ARTICLE 5 OF THE NORTH ATLANTIC TREATY IS NOT REALLY VERY DIFFERENT FROM PARAGRAPH 7 OF THE DECLARATION OF PRINCIPLES. HE IMPLIED THAT THE INCLUSION OF SUCH A PRINCIPLE IN A NEW AGREEMENT WOULD GO FAR TO SATISFY SPANISH DEMANDS, ASSUMING, OF COURSE, THAT IT WAS NOT WATERED DOWN BY PUBLIC STATEMENTS. I TOLD CORTINA THAT HE WAS MAKING A SERIOUS MISTAKE IN CONTINUING TO BELIEVE THAT THE SENATE WAS PREPARED TO ACCEPT A DEFENSE RELATIONSHIP WITH SPAIN, OR ANY OTHER WESTERN COUNTRY, WHICH IMPLIED A NEW BILATERAL DEFENSE

COMMITMENT BY THE US. IF HE WAS MAKING THIS THE CONDITION FOR A NEW AGREEMENT, I COULD NOT BE VERY OPTIMISTIC.

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6. WITH REGARD TO OTHER POINTS IN NEGOTIATION, CORTINA REFERRED SPECIFICALLY TO THE QUID. HE INITIALLY TOOK THE VIEW THAT THE QUESTION OF PUTTING A DOLLAR FIGURE ON WHAT WAS DESIRED BY SPAIN WAS NOT A VERY IMPORTANT POINT SINCE THE US GOVERNMENT COULD PUT ALMOST ANY VALUE IT WANTED ON THE EQUIPMENT. I TOLD HIM THAT THIS WAS NOT THE POINT. THE POINT WAS THAT WHEN WE WENT TO CONGRESS, WE HAD TO INDICATE THE LIMIT OF THE FMS CREDIT WHICH WOULD BE EXTENDED TO SPAIN. THIS, THEREFORE, MEANT ESTABLISHING AN OVERALL FIGURE. MOREOVER, CONGRESS HAD CONSIDERABLE RESERVATIONS ON FOREIGN ASSISTANCE PROGRAMS AND WHETHER WE LIKED IT OR NOT, CREDITS WERE STILL CONSIDERED ASSISTANCE. CORTINA INDICATED HE UNDERSTOOD THIS POINT, BUT WE DID NOT PURSUE IT. HE WENT ON TO SAY THAT SPAIN ATTACHED CONSIDERABLE IMPORTANCE TO CO-PRODUCTION SCHEMES INVOLVING THE TRANSFER OF MILITARY TECHNOLOGY IN ORDER TO GIVE AN IMPETUS TO THE SPANISH DEFENSE INDUSTRY. HE MADE PARTICULAR MENTION IN THIS CONNECTION OF AGREEMENTS WITH FRANCE FOR THE CO-PRODUCTION OF AMX TANKS AND DAPHNE-TYPE SUBMARINES. I RECALLED TO CORTINA THAT MCCLOSKEY HAD MADE PROPOSALS REGARDING CO-PRODUCTION IN THE LAST ROUND.

7. IN CONCLUSION, CORTINA AGAIN EMPHASIZED HIS DESIRE TO MEET WITH THE SECRETARY ABOUT SEPTEMBER 15. HE WAS CERTAIN THAT HE AND THE SECRETARY COULD FIND A FORMULA WHICH WOULD SATISFY SPANISH REQUIREMENTS WHILE REMAINING ADEQUATELY "OBSCURE". I SAID THIS MIGHT WELL BE SO, BUT IT WOULD STILL HAVE TO BE ONE WE COULD SAY DID NOT REPRESENT A NEW MUTUAL DEFENSE COMMITMENT. I PROMISED THAT I WOULD CONVEY TO THE SECRETARY CORTINA'S DESIRE FOR AN EARLY MEETING WITH THE SECRETARY AND WOULD GIVE HIM A REPLY AS SOON AS I COULD.

8. COMMENT: ALTHOUGH I RECOGNIZE THE PRESSURES ON THE SECRETARY'S TIME, I NOW BELIEVE THAT A MEETING WITH CORTINA FOLLOWING AN EARLY NEXT ROUND SHOULD TAKE PLACE. CORTINA IS QUITE PREPARED TO MAKE A SPECIAL TRIP TO THE US FOR THIS PURPOSE AND HAS PERSUADED THE SPANISH GOVERNMENT THAT THE SUCCESSFUL OUTCOME OF THE NEGOTIATIONS DEPENDS ON A PERSONAL MEETING OF MINDS WITH THE SECRETARY.

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SUBJECT TO AMBASSADOR MCCLOSKEY'S VIEWS, THE SCHEDULE  
SUGGESTED BY CORTINA (NEXT ROUND BEGINNING ABOUT SEPTEMBER 10, FOLLOWED BY A MEETING WITH THE SECRETARY ABOUT  
SEPTEMBER 15) WOULD SEEM REASONABLE.  
STABLER

NOTE BY OC/T: NOT PASSED SECRETARY.

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